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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RND CONSULTING, INC., an Illinois
Corporation,

Plaintiff,

vs.

AHERN ENGINEERING, LLC, a Nevada
Limited Liability Company; XTREME
MANUFACTURING, LLC, a Nevada Limited
Liability Company; XTREME CUBES
CORPORATION, a Nevada Corporation,

Defendants.

Case No.: 2:24-cv-00713-CDS-MDC

**JOINT MOTION FOR ORDER SETTING
CASE FOR SETTLEMENT
CONFERENCE BEFORE ASSIGNED
MAGISTRATE JUDGE PURSUANT TO
LOCAL RULE 16-5**

Pursuant to Local Rule 16-5, Plaintiff RnD Consulting, Inc. (“Plaintiff”), and Defendants Ahern Engineering, LLC; Xtreme Manufacturing, LLC; and Xtreme Cubes Corporation (“Defendants”) (collectively, the “Parties”), through their respective attorneys of record, hereby submit this Joint Motion for Order Setting Case for Settlement Conference Before Assigned Magistrate Judge (the “Joint Motion”). *See also* LR 7-1; LR IB 1-7(b). The Parties’ Joint Motion is supported by the following Memorandum of Points and Authorities.

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 While the Parties have engaged in preliminary, informal resolution efforts up to this point,
3 the Parties believe that a formal settlement conference would streamline the Parties' efforts and,
4 in turn, assist the Parties in reaching a global settlement agreement. Given this action's procedural
5 posture¹—and before expending significant resources retaining experts and conducting extensive
6 deposition discovery—all Parties agree that now is the time to engage in a focused effort to resolve
7 this litigation, with the assigned Magistrate Judge's guidance.

8 Relevant here, this District's Local Rules directly support the Parties' request:

9 **LR 16-5. SETTLEMENT CONFERENCE AND ALTERNATIVE**
10 **METHODS OF DISPUTE RESOLUTION**

11 The court may set any appropriate civil case for settlement conference or other
12 alternative method of dispute resolution (ADR)

13 LR 16-5; *see also* LR 7-1; LR IB 1-7(b). With their request, the Parties also recognize that this
14 Court "is committed to assisting attorneys and parties in reducing costs in civil cases" and that it
15 "is the obligation of attorneys, as officers of the court, to work toward the prompt completion of
16 each case and to minimize litigation expense." LR 1- 1(b).

17 Accordingly, the Parties respectfully request the Court issue an order under LR 16-5
18 requiring the Parties and their attorneys to attend a settlement conference at a mutually agreeable
19 time and place to be designated by the Court. With this Joint Motion, the Parties represent that this
20 case is appropriate for an "early settlement conference with a magistrate judge." LR 1-1(b)(3); *see*
21 *also* LR IB 1-7 (explaining that the duties of a magistrate judge include overseeing confidential
22 settlement conferences). Moreover, the Parties submit this Joint Motion in good faith and not for
23 purposes of unduly delaying discovery or trial.

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¹ Plaintiff initiated this litigation on April 12, 2024. *See* ECF No. 1.



For the reasons set forth above, the Parties respectfully request that this Court grant the Parties' Joint Motion and, in accordance with LR 16-5, issue an Order setting this matter for a settlement conference before the assigned Magistrate Judge on a mutually agreeable date.

DATED this 7th day of February, 2025.

DATED this 7th day of February, 2025.

WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC

SCHNITZER JOHNSON & WATSON, CHTD.

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IT IS SO ORDERED. The stipulation (ECF No. 26) is denied without prejudice. The parties may submit an amended stipulation for settlement conference which includes the following information: (i) a more detailed description of the parties' settlement efforts; (ii) a discussion of the parties' most recent settlement offers exchanged; (iii) a brief discussion of the parties' respective positions/disagreements regarding the most recent settlement offers exchanged; and (iv) proposed settlement conference dates up to April 30, 2024. The parties are requested to please file the amended stipulation by February 21, 2025.



Hon. Maximiliano D. Couvillier III
United States Magistrate Judge
Dated: 2-11-25



CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC, and that on the 7th day of February, 2025, I served a true and correct copy of the foregoing **JOINT MOTION FOR ORDER SETTING CASE FOR SETTLEMENT CONFERENCE BEFORE ASSIGNED MAGISTRATE JUDGE PURSUANT TO LOCAL RULE 16-5** by e-service, in accordance with the Electronic Filing Procedures of the United States District Court, to the following:

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